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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,407	01/31/2001	Memphis Zhihong Yin	10006641.1	4244

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HEWLETT- PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

CHAI, LONGBIT

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/773,407

Applicant(s)

YIN ET AL.

Examiner

Longbit Chai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,6,12,30 and 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,12,30 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 3 – 5, 7 – 11, 13 – 29 and 32 – 33 have been canceled; no claim has been amended in an amendment filed 10/11/2005. Claims 1, 2, 6, 12, 30 and 31 have been examined.

Response to Arguments

2. Applicant's arguments filed on 10/11/2005 with respect to the subject matter of the instant claims have been fully considered but are not persuasive.

3. As per claim 1, Applicant asserts; "Taylor does not teach a method for permitting access to an electronic system by way of a touchpad that includes receiving a sequence of characters that represent the movements of a user's finger tracing a pattern on said touchpad, said pattern including at least one pause". Examiner notes Applicant's arguments have been fully considered but are not persuasive because Taylor discloses (a) a small number of movements of a finger across the touchpad are thus capable of generating a large number of characters for use in a password or code, and thereby take advantage of the security benefits that can be achieved, but without having to memorize the exact password, but only a few movements of a finger or stylus (Taylor: Para [0022]), and (b) a user may have to place a finger on the touchpad, move the finger, and then remove the finger several times before enough characters have been generated to complete the password (Taylor: Para [0062]).

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4. Furthermore, as per claim 12, Applicant remarks: "a signal conditioner for receiving a sequence of characters that represent the movements of a user's finger tracing a pattern on said touchpad, said pattern including at least one pause".

Examiner notes Applicant's arguments have been fully considered but are not persuasive because Taylor discloses a touchpad circuitry is able to detect a finger being placed anywhere on the touchpad surface, movement and position of the finger along the touchpad surface, and removal of the finger from the touchpad surface (Taylor: Para [0037]), which is qualified as a signal conditioner coupled to a touch pad in order to receive signals from the touchpad which indicate the movement of a user's finger to meet the claim languages.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 12 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Taylor (Patent Number: 2002/0109677).

As per claim 1, 12 and 30, Taylor teaches a method for permitting access to an electronic system by way of a touchpad, comprising:

dividing said touchpad into a plurality of regions and assigning a character to each of said regions (Taylor: see for example, Paragraph [0023] & [0024]);

receiving a sequence of characters that represents the movements of a user's finger tracing a pattern on said touchpad, said pattern including at least one pause (Taylor: see for example, Paragraph [0022] Line 4 – 14, Paragraph [0019] and Paragraph [0062]: Taylor discloses (a) using a few movements of a finger for generating a large number of characters for use in a password or code (Taylor: Para [0022]), and (b) placing a finger on the touchpad, move the finger, and then remove the finger several times before enough characters have been generated to complete the password (Taylor: Para [0062]), which is interpreted as said pattern including at least one pause);

comparing said received sequence of characters with a predetermined sequence of characters (Taylor: see for example, Paragraph [0002] and [0022] Line 11); and

permitting access to an operating mode of said electronic system when said comparing action determines that the received sequence of characters accords with said predetermined sequence of characters (Taylor: see for example, Paragraph [0002] and [0022] Line 11).

As per claim 2, Taylor teaches the claimed invention as described above (see claim 1). Taylor further teaches said electronic system is a computing device (Taylor: see for example, Paragraph [0002] and [004]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor (Patent Number: 2002/0109677), in view of Angelo (Patent Number: 5960084).

As per claim 6 and 31, Taylor does not disclose expressly said permitting action further comprises allowing access to a protected file.

Angelo teaches said permitting action further comprises allowing access to a protected file (Angelo: Column 9 Line 12 – 17).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Angelo within the system of Taylor because Angelo teaches providing a secure computing environment and offering limited access to hardware and the data it contains by the use of passwords (Angelo: see for example, Column 2 Line 39 –43).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


LBC

Longbit Chai
Examiner
Art Unit 2131


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